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Funding Request Number:	1094062
Services Ordered:	TELCOMM SERVICES
SPIN:	143008952
Service Provider Name:	Harrisonburg Electric Commission
Contract Number:	Year 7
Billing Account Number:	n/a
Site Identifier:	126469
Original Funding Commitment:	\$9,240.00
Commitment Adjustment Amount:	\$9,240.00
Adjusted Funding Commitment:	\$0.00
Funds Disbursed to Date:	\$7,590.00
Funds to be Recovered from Applicant:	\$7,590.00

**Funding Commitment Adjustment Explanation:**

After a thorough investigation, it has been determined that this funding commitment must be rescinded in full. During the course of a review it was determined that service provider contact information appeared on the cited Form 470. The contact person on the cited Form 470 (Application Number: 106600000468290) was Denise Dawson. Denise Dawson is also the registered contact person for Harrisonburg Electric Commission, SPIN 143008952. Harrisonburg Electric Commission was selected a service provider pursuant to the posting of this Form 470. FCC rules require applicants to submit a Form 470 to initiate the competitive bidding process, and to conduct a fair and open process. If the applicant has posted a Form 470 that contains contact information for a service provider that participates in the competitive bidding process, the applicant has violated this requirement, and FCC rules consider this Form 470 to be tainted. All Funding Requests that relate to this Form 470 are required to be denied because the Form 470 is tainted. Accordingly, the commitment has been rescinded in full and the SLD will seek recovery of any disbursed funds. The SLD has determined that both the applicant and the service provider are responsible for this rule violation; if any funds were disbursed the SLD will seek recovery of the improperly disbursed funds from both the applicant and the service provider.

**PLEASE SEND A COPY OF THIS PAGE WITH YOUR  
CHECK TO ENSURE TIMELY PROCESSING**

The logo for the Universal Service Administrative Company (USAC) features the letters "USAC" in a bold, serif font. A stylized, curved line arches over the letters, resembling a bridge or a protective shield.

**Universal Service Administrative Company**  
**Schools & Libraries Division**

Rec'd 4/26/06

**Notification of Commitment Adjustment Letter**  
**Funding Year 2005: 7/01/2005 - 6/30/2006**

April 20, 2006

**D.D. Dawson**  
**HARRISONBURG CITY SCH DISTRICT**  
**317 S MAIN ST**  
**HARRISONBURG, VA 22801 3606**

**Re: Form 471 Application Number: 456043**  
**Funding Year: 2005**  
**Applicant's Form Identifier: Year 8**  
**Billed Entity Number: 126469**  
**FCC Registration Number: 11818630**  
**SPIN Name: Harrisonburg Electric Commission**  
**Service Provider Contact Person: Craig Cook**

Our routine review of Schools and Libraries Program funding commitments has revealed certain applications where funds were committed in violation of program rules.

In order to be sure that no funds are used in violation of program rules, the Schools Libraries Division (SLD) of the Universal Service Administrative Company (USAC) must now adjust your overall funding commitment. The purpose of this letter is to make the adjustments to your funding commitment required by program rules, and to give you an opportunity to appeal this decision. USAC has determined the applicant is responsible for all or some of the program rule violations. Therefore, the applicant is responsible to repay all or some of the funds disbursed in error (if any).

This is NOT a bill. If recovery of disbursed funds is required, the next step in the recovery process is for SLD to issue you a Demand Payment Letter. The balance of the debt will be due within 30 days of the Demand Payment Letter. Failure to pay the debt within 30 days from the date of the Demand Payment Letter could result in interest, late payment fees, administrative charges and implementation of the "Red Light Rule." Please see the "Informational Notice to All Universal Service Fund Contributors, Beneficiaries, and Service Providers" at <http://www.universalservice.org/fund-administration/tools/latest-news.aspx#083104> for more information regarding the consequences of not paying the debt in a timely manner.

**TO APPEAL THIS DECISION:**

If you wish to appeal the Commitment Adjustment Decision indicated in this letter, your appeal must be received or postmarked within 60 days of the date of this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. In your letter of appeal:

1. Include the name, address, telephone number, fax number, and e-mail address (if available) for the person who can most readily discuss this appeal with us.
2. State outright that your letter is an appeal. Identify the date of the Notification of Commitment Adjustment Letter and the Funding Request Numbers you are appealing. Your letter of appeal must include the Billed Entity Name, the Form 471 Application Number, Billed Entity Number, and FCC Registration Number (FCC RN) from the top of your letter.
3. When explaining your appeal, copy the language or text from the Notification of Commitment Adjustment Letter that is the subject of your appeal to allow the SLD to more readily understand your appeal and respond appropriately. Please keep your letter specific and brief, and provide documentation to support your appeal. Be sure to keep copies of your correspondence and documentation.
4. Provide an authorized signature on your letter of appeal.

If you are submitting your appeal electronically, please send your appeal to [appeals@sl.universalservice.org](mailto:appeals@sl.universalservice.org) using your organization's e-mail. If you are submitting your appeal on paper, please send your appeal to: Letter of Appeal, Schools and Libraries Division, Dept. 125 - Correspondence Unit, 100 South Jefferson Road, Whippany, NJ 07981. Additional options for filing an appeal can be found in the "Appeals Procedure" posted in the Appeals Area of the SLD section of the USAC web site or by contacting the Client Service Bureau at 1-888-203-8100. We strongly recommend that you use the electronic appeals options.

While we encourage you to resolve your appeal with the SLD first, you have the option of filing an appeal directly with the Federal Communications Commission (FCC). You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. Your appeal must be received or postmarked within 60 days of the date of this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554. Further information and options for filing an appeal directly with the FCC can be found in the "Appeals Procedure" posted in the Reference Area of the SLD section of the USAC web site, or by contacting the Client Service Bureau. We strongly recommend that you use the electronic filing options.

**FUNDING COMMITMENT ADJUSTMENT REPORT**

On the pages following this letter, we have provided a Funding Commitment Adjustment Report (Report) for the Form 471 application cited above. The enclosed Report includes the Funding Request Number(s) from your application for which adjustments are necessary. Immediately preceding the Report, you will find a guide that defines each line of the Report.

The SLD is also sending this information to your service provider(s) for informational purposes. If USAC has determined the service provider is also responsible for any rule violation on these Funding Request Numbers, a separate letter will be sent to the service provider detailing the necessary service provider action.

Please note that if the Funds Disbursed to Date amount is less than the Adjusted Funding Commitment amount, USAC will continue to process properly filed invoices up to the Adjusted Funding Commitment amount. Please note the Funding Commitment Adjustment Explanation in the attached Report. It explains why the funding commitment is being reduced. Please ensure that any invoices that you or your service provider submit to USAC are consistent with program rules as indicated in the Funding Commitment Adjustment Explanation. If the Funds Disbursed to Date amount exceeds your Adjusted Funding Commitment amount, USAC will have to recover some or all of the disbursed funds. The Report explains the exact amount (if any) the applicant is responsible for repaying.

Schools and Libraries Division  
Universal Services Administrative Company

cc: Craig Cook  
Harrisonburg Electric Commission

## A GUIDE TO THE FUNDING COMMITMENT ADJUSTMENT REPORT

A report for each E-rate funding request from your application for which a commitment adjustment is required is attached to this letter. We are providing the following definitions for the items in that report.

**FUNDING REQUEST NUMBER (FRN):** A Funding Request Number is assigned by the SLD to each individual request in your Form 471 once an application has been processed. This number is used to report to applicants and service providers the status of individual discount funding requests submitted on a Form 471.

**SERVICES ORDERED:** The type of service ordered from the service provider, as shown on Form 471.

**SPIN (Service Provider Identification Number):** A unique number assigned by the Universal Service Administrative Company to service providers seeking payment from the Universal Service Fund for participating in the universal service support mechanisms. A SPIN is also used to verify delivery of services and to arrange for payment.

**SERVICE PROVIDER NAME:** The legal name of the service provider.

**CONTRACT NUMBER:** The number of the contract between the applicant and the service provider. This will be present only if a contract number was provided on your Form 471.

**BILLING ACCOUNT NUMBER:** The account number that your service provider has established with you for billing purposes. This will be present only if a Billing Account Number was provided on your Form 471.

**SITE IDENTIFIER:** The Entity Number listed in Form 471, Block 5, Item 22a. This number will only be present for "site specific" FRNs.

**ORIGINAL FUNDING COMMITMENT:** This represents the original amount of funding that SLD had reserved to reimburse you for the approved discounts for this service for this funding year.

**COMMITMENT ADJUSTMENT AMOUNT:** This represents the amount of funding that SLD has rescinded because of program rule violations.

**ADJUSTED FUNDING COMMITMENT:** This represents the adjusted total amount of funding that SLD has reserved to reimburse for the approved discounts for this service for this funding year. If this amount exceeds the Funds Disbursed to Date, the SLD will continue to process properly filed invoices up to the new commitment amount.

**FUNDS DISBURSED TO DATE:** This represents the total funds that have been paid to the identified service provider for this FRN as of the date of this letter.

**FUNDS TO BE RECOVERED FROM APPLICANT:** This represents the amount of improperly disbursed funds to date as a result of rule violation(s) for which the applicant has been determined to be responsible. These improperly disbursed funds will have to be recovered from the applicant.

**FUNDING COMMITMENT ADJUSTMENT EXPLANATION:** This entry provides an explanation of the reason the adjustment was made.

**Funding Commitment Adjustment Report for  
Form 471 Application Number: 456043**

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Funding Request Number:	1252435
Services Ordered:	TELCOMM SERVICES
SPIN:	143008952
Service Provider Name:	Harrisonburg Electric Commission
Contract Number:	N/A
Billing Account Number:	N/A
Site Identifier:	126469
Original Funding Commitment:	\$30,096.00
Commitment Adjustment Amount:	\$30,096.00
Adjusted Funding Commitment:	\$0.00
Funds Disbursed to Date:	\$0.00
Funds to be Recovered from Applicant:	\$0.00
Funding Commitment Adjustment Explanation:	

} for 6 sch. bldings  
Separate K for administrative office

After a thorough investigation, it has been determined that this funding commitment must be rescinded in full. During the course of review it was determined that service provider contact information appeared on the cited Form 470. The contact person on the cited Form 470 on Application Number:456043 was Denise Dawson. Denise Dawson is also the registered contact person for Harrisonburg Electric Commission. Harrisonburg Electric Commission was selected a service provider pursuant to the posting of this Form 470. FCC rules require applicants to submit a Form 470 to initiate the competitive bidding process, and to conduct a fair and open process. If the applicant has posted a Form 470 that contains contact information for a service provider that participates in the competitive bidding process, the applicant has violated this requirement, and FCC rules consider this Form 470 to be tainted. All Funding Requests that relate to this Form 470 are required to be denied because the Form 470 is tainted. Accordingly, the commitment has been rescinded in full and the SLD will seek recovery of any disbursed funds.

**PLEASE SEND A COPY OF THIS PAGE WITH YOUR  
CHECK TO ENSURE TIMELY PROCESSING**

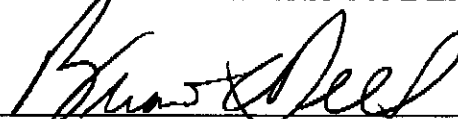
AFFIDAVIT OF EMPLOYMENT  
ON BEHALF OF HARRISONBURG ELECTRIC COMMISSION

I, Brian D. O'Dell, after being duly sworn do hereby make oath that:

1. I am a duly authorized officer of Harrisonburg Electric Commission, and currently hold the office of Manager of Engineering;
2. Harrisonburg Electric Commission does not employ Denise D. Dawson as an employee or agent in any capacity;
3. Ms. Dawson has never been employed by Harrisonburg Electric Commission as an employee or agent in any capacity.

WITNESS the following signatures and seals this 12th day of June, 2006.

HARRISONBURG ELECTRIC COMMISSION

  
By: Brian D. O'Dell  
Manager of Engineering

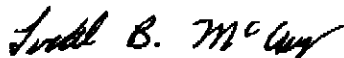
COMMONWEALTH OF VIRGINIA, AT LARGE

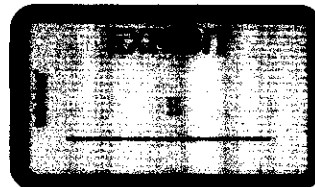
IN THE CITY OF HARRISONBURG, to wit:

The foregoing instrument was acknowledged before me this 12th day of June, 2006, by Brian D. O'Dell, Manager of Engineering, Harrisonburg Electric Commission.

My Commission expires: March 31, 2007



  
Notary



NOV. 8. 2002 5:23PM



THE HARRISONBURG ELECTRIC COMMISSION  
89 WEST BRUCE STREET 540/434-5361 FAX 540/434-8803  
HARRISONBURG, VIRGINIA 22801-3698

November 5, 2002

USAC Billing and Disbursement  
Attn: Form 498  
12902 Federal Systems Park Drive  
Fairfax, Virginia 22033-4412

Re: Letter of Authorization for FCC Service Provider Information Form 498

Dear Ms. Smith,

Please find the enclosed *Service Provider Information Form* (FCC Form 498).  
The Harrisonburg Electric Commission plans to retain the It's current Service  
Provider Identification Number: 143008952

Should you have any questions regarding this information, please contact me at  
(540) 434-5361.

Best regards,

Craig Cook  
Engineer/Network Administrator





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#3663 P.002/005

Per Response 1 B&amp;B

# Service Provider Information Form (Please Print legibly on Both Copying Pages)

1. Full Legal Name of Service Provider <b>Harrisonburg Electric Commission</b>		
2. USAC Service Provider Number (Assigned by USAC) <b>143008952</b>		4. Principal Communications Business (See Instructions) <b>PRIV</b>
3. Service Provider's Street Address, P.O. Box, or Route Number <b>89 West Bruce Street</b>		
City <b>Harrisonburg</b>	State <b>VA</b>	Zip Code <b>22801</b>
5. Federal Employer Identification Number <b>540626375</b>		7. Indicate (X) Business Structure <input type="checkbox"/> Corporation <input type="checkbox"/> Partnership <input checked="" type="checkbox"/> Other
8. Name of Service Provider's Contact <b>Craig Cook</b>	9. Telephone Number <b>(540) 434-5361</b>	10. FAX Number <b>(540) 434-8803</b>
11. Address of Service Provider's Contact - Street Address, P.O. Box, or Route Number <b>89 West Bruce Street</b>		11a. E-mail Address <b>cacook@hbgelec.com</b>
City <b>Harrisonburg</b>	State <b>VA</b>	Zip Code <b>22801</b>

## Block 2: Schools & Libraries and Rural Health Care Programs Information

### Service Provider's Schools & Libraries and Rural Health Care Programs Contact

12. Name of Service Provider's Schools & Libraries Program Contact <b>Craig Cook</b>		13. Telephone Number <b>(540) 434-5361</b>	14. FAX Number <b>(540) 434-8803</b>
15. Address of Service Provider's Schools & Libraries Program Contact - Street Address, P.O. Box, or Route Number <b>89 West Bruce Street</b>			
City <b>Harrisonburg</b>	State <b>VA</b>	Zip Code <b>22801</b>	
16. Name of Service Provider's Rural Health Care Program Contact		17. Telephone Number	18. FAX Number
19. Address of Service Provider's Rural Health Care Program Contact - Street Address, P.O. Box, or Route Number			
City	State	Zip Code	

## Schools & Libraries and Rural Health Care Payment Information

In accordance with FCC rules Part 54.1515 and 54.1511, USAC will offset service provider Schools & Libraries Invoices against the provider's universal service support obligation at their request, and will offset service provider Rural Health Care Invoices against the provider's universal service obligation.

Is the service provider requesting to have their Schools & Libraries Invoices offset against the provider's universal service obligation? ☐ Yes ☒ No

(SEE SPECIFIC INSTRUCTIONS FOR ITEMS 20 THROUGH 23)

20. Name of Remittance Company		
21. Address of Remittance Company - Address, P.O. Box, or Route Number		
City	State	Zip Code
22. Name of Remittance Contact	23. Telephone Number	24. FAX Number
25. Name of Remittance Bank (Required only if clearing ACH or locked box transfer of funds)		
26. Remittance ACH Clearing House (ACH Number and bank account (Required only if clearing ACH transfer of funds))		
ACH bank account number		Bank account suffix

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#3563 P.003/005

## FCC Form 498

Universal Service Administrative Company

Page 1

## Service Provider Information Form

Contributor Company Information for Schools &amp; Libraries and Rural Health Care Programs

27. Name of Contributor Company		28. Contributor's TRS Company Code	
29. USAC Service Provider Number of Contributor Company			
30. Address of Contributor Company - (Street Address, P.O. Box, or Route Number)			
City		State	Zip Code
31. Name of Contributor Company Contact		32. Telephone Number	33. Email Address
34. This filing is as: <input type="checkbox"/> Original <input checked="" type="checkbox"/> Revision			

**Certification:** This form must be accompanied with a letter of authorization, on company letterhead, certifying the accuracy of the information provided.

(See instructions, page 2, and Attachment A to the instructions.)

Check here ☒ to indicate that letterhead is attached.

**PERSONS MAKING WILLFUL FALSE STATEMENTS ON THE FORM CAN BE PUNISHED BY FINE OR IMPRISONMENT UNDER THE COMMUNICATIONS ACT OF 1934, AS AMENDED, 47, U.S.C. 223(n).**

Forward completed form along with a letter of authorization to:

USAC Billing and Disbursement  
 Attn: Form 498  
 12802 Federal Systems Park Drive  
 Fairfax, Virginia 22033-4412

**Notice:** The Federal Communications Commission has designated the Universal Service Administrative Company (USAC) as temporary administrator of the universal service support mechanisms for schools & libraries and rural health care programs. One of the functions of USAC is to provide a mechanism for the billing and collection of funds for the various programs. In an effort to implement these requirements and obligations, the Commission has adopted this collection of information. Pursuant to sections 54.515 and 54.611 of the Commission's rules, 47 CFR Sections 54.515 and 54.611, USAC must obtain information relating to: service provider name and address, telephone number, Federal employee identification number, contact names and telephone numbers, and billing and collection information. This form should be completed by each service provider receiving universal service support under the schools and libraries and rural health care programs. USAC will use this information in administering the billing and collection operations of the universal service support.

**Remember -** You are not required to respond to a collection of information sponsored by the Federal government, and the government may not conduct or sponsor this collection, unless it displays a currently valid Office of Management and Budget (OMB) control number. This collection has been assigned an OMB control number of 3080-0824.

We have estimated that each response to this collection of information will take, on average, 1 hour. Our estimate includes the time to read the instructions, look through existing records, gather and maintain the required data, and actually complete and review the form or response. If you have any comments on this estimate, or how we can improve the collection and reduce the burden it causes you, please write the Federal Communications Commission, AMD-PERM, Washington, D.C. 20554, Paperwork Reduction Project (3080-0824). We also will accept your comments via Internet if you send them to [jboley@fcc.gov](mailto:jboley@fcc.gov). Please DO NOT SEND COMPLETED FORMS TO THIS ADDRESS.

The foregoing Notice is required by the Privacy Act of 1974, P.L. 93-579, December 31, 1994, 5 U.S.C. 552a(e)(3), and the Paperwork Reduction Act of 1995, P.L. 104-13, 44 U.S.C. Section 3601.

The Commission is authorized under the Communications Act of 1934, as amended, to collect the personal information we request in this form. We will use the information that you provide for billing and collection purposes. If we believe there may be a violation or potential violation of a statute or a Commission regulation, rule or order, your form may be referred to the Federal, state, or local agency responsible for investigating, prosecuting, enforcing, or implementing the statute, rule, regulation, or order. In certain cases, the information in your Form may be disclosed to the Department of Justice, court, or other adjudicative body when (a) the Commission; or (b) any employee of the Commission; or (c) the United States government, is a party to a proceeding before the body or has an interest in the proceeding.

If you owe a past due debt to the federal government, the taxpayer identification number (such as your social security number) and other information you provide also may be disclosed to the Department of the Treasury Financial Management Service, other

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## USAC BILLING AND DISBURSEMENTS DEPARTMENT

Office Address: 12902 Federal Systems Park Drive, Ann: Form 498, Fairfax, VA 22033-4412

Toll Free 888-641-8722 Toll: 703-322-5100

Fax: 703-653-7419

EUSAC@usacglobal.com

## FACSIMILE TRANSMITTAL SHEET

TO: <b>Craig Cook</b>	FROM: <b>USAC B&amp;D</b>	CR INITIALS: <b>CW</b>
COMPANY: <b>Harrisonburg Electric Commission</b>	DATE: <b>11/8/02</b>	
FAX NUMBER: <b>(540) 434-8807</b>	PHONE NUMBER:	
R.N.: <b>SPIN: 498 Form error(s)</b>	TOTAL NO. OF PAGES INCLUDING COVER:	<b>4</b>

Your Form 498 Service Provider Information Form is being returned to you because you did not complete one of the following:

- ☐ Form not legible. Please fax in a more legible format or submit by mail.
- ☐ Original hardcopy needs to be sent, faxed copy not accepted for an original Form 498 filing to receive a SPIN.
- ☐ Principal Communications Business (PCB) missing or incorrect (line 4) (see instructions pg.3) Please fax in the Form 498 with an appropriate PCB in line 4.
- ☒ Federal Employer Identification Number missing or incorrect (line 6). Please fax in the Form 498 with the Service Provider's Federal Employer Identification. **540026375**
- ☐ Yes/No box has not been checked to indicate if you want to set your disbursements against your obligation to the fund or the Yes box has been checked and no TRS company code or billing information has been provided.
- ☐ Contact information in block 2 (lines 12-19) has been filled out incorrectly and should contain contact information from someone with in your organization.
- ☐ Remittance information missing (lines 20-24). This is the contact person and mailing address where checks or ACH deposits are sent. The Form 498 must be mailed to USAC at the address above.
- ☐ Certification letter on company letterhead missing (last page of instructions). The Form 498 and authorization letter must be mailed to USAC at the address above.
- ☒ Certification letters needs signature of current contact (listed in our database). If the current contact is no longer available, the certification letter must:
  - ☐ State the name of the old contact
  - ☐ State that the old contact is no longer available or has left the organization.
  - ☐ State the name of the new contact
  - ☐ Be signed by an officer of the company (Owner, CEO, CFO, Chairman of the Board, President, Vice President, Treasurer, Controller, Partner, Director, Member for a LLC)
- ☐ Other \_\_\_\_\_

For all corrections to revisions, please submit this fax cover sheet along with the complete Form 498 and authorization letter. For all corrections to new SPINS an original copy of the 498 must be sent in by mail. If you have any questions, please contact the Billing & Disbursement Department at 703-322-5100 or 888-641-8722. For additional information or instructions visit us online at [www.anlvtrusservice.org](http://www.anlvtrusservice.org)

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#3563 P.004/005



## THE HARRISONBURG ELECTRIC COMMISSION

89 West Bruce Street  
Harrisonburg, Virginia 22801-3689  
Phone (540) 434-5361 Fax (540) 434-8803  
[www.harrisonburgelectric.com](http://www.harrisonburgelectric.com)

November 13, 2002

USAC Billing and Disbursement  
Attn: Form 498  
12902 Federal Systems Park Drive  
Fairfax, Virginia 22033-4412

Re: Letter of Authorization for FCC Service Provider Information Form 498

Dear Ms. Smith,

Please find the enclosed *Service Provider Information Form* (FCC Form 498) which outlines the changed contact and mailing address for the Harrisonburg Electric Commission, Service Provider Identification Number: 143008952.

The Old Contact, Denise Dawson, had managed the E-rate paperwork for and will no longer be a Service Provider contact for the Harrisonburg Electric Commission .

The new contact, Craig Cook, located at 89 West Bruce Street, Harrisonburg, Virginia 22801 will manage future E-Rate aspects for the Harrisonburg Electric Commission.

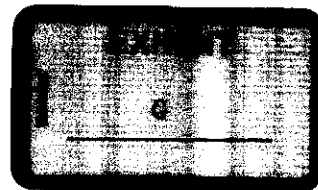
Should you have any questions regarding this information, please contact me at (540) 434-5361.

Best regards,

A handwritten signature in cursive script, appearing to read "Craig Cook".

Craig Cook  
Engineer/Network Administrator

Authorizing Signature: By (Official Capacity)



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#3563 P.001/003

## USAC BILLING AND DISBURSEMENTS DEPARTMENT

Office Address: 1202 Federal Systems Park Drive, Aste: Room 408, Fairfax, VA 22033-4412

Toll Free: 888-641-8722 Toll: 703-322-5100

Fax: 703-653-7419

EUSAC@us.pwcglobal.com

## FACSIMILE TRANSMITTAL SHEET

TO:	FROM:	CSR INITIALS:
Craig Cook	USAC B&D	MW
COMPANY:	DATE:	
Harrisonburg Electric Company	11/19/02	
FAX NUMBER:	PHONE NUMBER:	
540-434-8803		
RE:	TOTAL NO. OF PAGES INCLUDING COVER:	
SPIN: 498 Form error(s)		

Your Form 498 Service Provider Information Form is being returned to you because you did not complete one of the following:

- ☐ Form not legible. Please fax in a more legible format or submit by mail.
- ☐ Original hardcopy needs to be sent, faxed copy not accepted for an original Form 498 filing to receive a SPIN.
- ☐ Principal Communications Business (PCB) missing or incorrect (line 4) (see instructions pg.3) Please fax in the Form 498 with an appropriate PCB in line 4.
- ☐ Federal Employer Identification Number missing or incorrect (line 6). Please fax in the Form 498 with the Service Provider's Federal Employer Identification.
- ☐ Yes/No box has not been checked to indicate if you want to net your disbursements against your obligation to the fund or the Yes box has been checked and no TRS company code or billing information has been provided.
- ☐ Contact information in block 2 (lines 12-19) has been filled out incorrectly and should contain contact information from someone with in your organization.
- ☐ Remittance information missing (lines 20-24). This is the contact person and mailing address where checks or ACH deposits are sent. The Form 498 must be mailed to USAC at the address above.
- ☐ Certification letter on company letterhead missing (last page of instructions). The Form 498 and authorization letter must be mailed to USAC at the address above.
- ☒ Certification letters needs signature of current contact listed in our database. If the current contact is no longer available, the certification letter must:
  - ☐ State the name of the old contact
  - ☐ State that the old contact is no longer available or has left the organization.
  - ☐ State the name of the new contact
  - ☐ Be signed by an officer of the company (Owner, CEO, CFO, Chairman of the Board member, President, Vice President, Treasurer, Controller, Partner, Director, Member for a LLC)

☒ Other Current contact listed is Brian O'Dell

For all corrections to mistakes, please submit this fax cover sheet along with the complete Form 498 and authorization letter. For all corrections to new SPINS an original copy of the 498 must be sent in by mail. If you have any questions, please contact the Billing & Disbursement Department at 703-322-5100 or 888-641-8722. For additional information or instructions visit us online at [www.usacglobal.com](http://www.usacglobal.com)



## THE HARRISONBURG ELECTRIC COMMISSION

89 West Bruce Street  
Harrisonburg, Virginia 22801-3699  
Phone (540) 434-5361 Fax (540) 434-6803

[www.harrisonburgelectric.com](http://www.harrisonburgelectric.com)

December 4, 2002

USAC Billing and Disbursement  
Attn: Form 498  
12902 Federal Systems Park Drive  
Fairfax, Virginia 22033-4412

Re: Letter of Authorization for FCC Service Provider Information Form 498

Dear Ms. Smith,

Please find the enclosed *Service Provider Information Form* (FCC Form 498) which outlines the changed contact and mailing address for the Harrisonburg Electric Commission, Service Provider Identification Number: 143008952.

Please remove the following contacts: Denise Dawson, had managed the E-rate paperwork for and will no longer be a Service Provider contact for the Harrisonburg Electric Commission; alternate contact Louise Huffman is now retired and not working with the Harrisonburg Electric Commission; and Brian O'Dell who was listed as a contact is no longer working with this account.

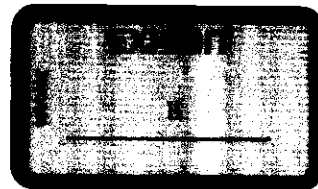
The new contact, Craig Cook, located at 89 West Bruce Street, Harrisonburg, Virginia 22801 will manage future E-Rate aspects for the Harrisonburg Electric Commission.

Should you have any questions regarding this information, please contact me at (540) 434-5361.

Best regards,

Craig Cook  
Engineer/Network Administrator

Authorizing Signature: By

  
(Official Capacity)

FCC Form

473

Approval by OMB

3060 - 0856

## Universal Service for Schools and Libraries

### Service Provider Annual Certification Form

Estimated Average Burden Hours Per Response: 1.0 hour

(To be completed by Service Provider)

Please read instructions before completing.

Persons willfully making false statements on this form can be punished by fine or forfeiture, under the Communications Act, 47 U.S.C. Secs. 502, 503(b), or fine or imprisonment under Title 18 of the United States Code, 18 U.S.C. Sec. 1001.

**NOTICE TO INDIVIDUALS:** Section 54.501 of the Federal Communications Commission's rules states that telecommunications carriers shall be eligible for universal service support for providing supported services to eligible schools, libraries, and consortia including those entities. Section 54.517 prescribes that non-telecommunications carriers shall be eligible for universal service support for providing Internet access and installation and maintenance of internal connections to eligible schools, libraries, and consortia including those entities.

Section 69.619 of the Federal Communication Commission's rules requires the fund administrator to review bills for services and to determine the amount of universal service support to be disbursed to service providers. All service providers that have signed a contract or have tariffs in effect under which they provide discounted service to eligible schools and libraries who have received a Funding Commitment Decisions Letter from the fund administrator are required to submit a Service Provider Invoice Form to obtain universal service support for the amount of the discounts provided to eligible schools and libraries. This Service Provider Invoice Form informs the fund administrator of the amount of the discounts provided to eligible schools and libraries, and consortia of those entities, for which the service provider seeks universal service support.

A Service Provider Annual Certification Form is required to be completed by each service provider, for each separate Service Provider Identification Number (SPIN), to confirm that the Invoice Forms submitted by each service provider are in compliance with the FCC's rules governing Universal Service for Schools and Libraries. One Form may be completed by each service provider that may have one or more Service Provider Identification Numbers assigned, and service providers with different legal names that are part of the same corporate legal entity may also submit one Form.

The collection of information stems from the Commission's authority under Section 254 of the Communications Act of 1934, as amended, 47 U.S.C. § 254. The information reported in the Form will be used to inform the fund administrator that a service provider is aware of and is in compliance with the FCC's rules governing Universal Service for Schools and Libraries.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

The FCC is authorized under the Communications Act of 1934, as amended, to collect the personal information requested in this form. If we believe there may be a violation or potential violation of a FCC statute, regulation, rule or order, your Service Provider Annual Certification Form may be referred to the Federal, state, or local agency responsible for investigating, prosecuting, enforcing or implementing the statute, rule, regulation or order. In certain cases, the information in your Service Provider Annual Certification Form may be disclosed to the Department of Justice or a court or adjudicative body when (a) the FCC; or (b) any employee of the FCC; or (c) the United States Government, is a party in a proceeding before the body or has an interest in the proceeding.

If you owe a past due debt to the federal government, the taxpayer identification number and other information you provide may also be disclosed to the Department of the Treasury Financial Management Service, other federal agencies and/or your employer to offset your salary, IRS tax refund or other payments to collect that debt. The FCC may also provide this information to these agencies through the matching of computer records when authorized.

If you do not provide the information requested on the form, your Service Provider Annual Certification Form may be returned without action or the processing of your form may be delayed.

The foregoing Notice is required by the Privacy Act of 1974, Pub. L. No. 93-579, December 31, 1974, 5 U.S.C. § 552, and the Paperwork Reduction Act of 1995, Pub. L. No. 104-13, 44 U.S.C. § 3501, *et seq.*

Public reporting burden for this collection of information is estimated to average 1.0 hour per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, completing, and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing the reporting burden, to the Federal Communications Commission, Performance Evaluation and Records Management, Washington, D.C. 20554.

<b>Block 1: Service Provider Information</b>			
<b>1. Name of Service Provider (required)</b>		<b>2. Service Provider Identification Number (required)</b>	
A Harrisonburg Electric Commission		A 143008952	
B.		B.	
C.		C.	
D.		D.	
E.		E.	
F.		F.	
G.		G.	
H.		H.	
I.		I.	
J.		J.	
K.		K.	
L.		L.	
M.		M.	
N.		N.	
O.		O.	
P.		P.	
Q.		Q.	
R.		R.	
S.		S.	
T.		T.	
U.		U.	
V.		V.	
W.		W.	
X.		X.	
Y.		Y.	
3. Funding Year (required)		2003	
		4. Contact Name (required) Craig Cook	
5. Complete Mailing Address of Contact Person (required)			
Street Address, P. O. Box or Route Number		City	State Zip Code
89 West Bruce Street		Harrisonburg	VA 22801
6. Telephone Number with Area Code (10 digits) (required)	7. Fax Number with Area Code (10 digits) (optional)	8. E-mail Address (optional)	
( 540 ) 434 - 5361	( 540 ) 434 - 8803	cacook@hbgelac.com	
Page 2 of 3		FCC Form 473 - October 1998	



copy

Contact Name	Craig Cook	Contact Telephone Number ( 540 ) 434- 5361
<b>Block 2: Certification</b>		
I certify that I am authorized to submit this Service Provider Annual Certification Form on behalf of the above-named service provider, which has been assigned the above-referenced Service Provider Identification Number, and certify to the best of my knowledge, information and belief, as follows:		
<p>9. Based on information known to me or provided to me by employees responsible for the data being submitted, I hereby certify that the data set forth in this Form has been examined and reviewed and is true, accurate and complete.</p> <p>10. The Service Provider Invoice Forms that are submitted by this service provider contain requests for universal service support for services which have been billed to the service provider's customers on behalf of schools, libraries, and consortia of those entities, as deemed eligible for universal service support by the fund administrator.</p> <p>11. The Service Provider Invoice Forms that are submitted by this service provider are based on bills or invoices issued by the service provider to the service provider's customers on behalf of schools, libraries, and consortia of those entities as deemed eligible for universal service support by the fund administrator, and exclude any charges previously invoiced to the fund administrator for which the fund administrator has not yet issued a reimbursement decision.</p> <p>12. This service provider makes available to customers, upon their request, separate prices for distinct services to assist Billed Entity Applicants in identifying the portions of their bills that represent the costs of services provided to eligible entities for eligible purposes.</p> <p>13. I acknowledge the Fund Administrator's authority to request additional supporting information as may be necessary. I recognize that I may be audited pursuant to this form and will retain for three years any and all records that I rely upon to complete this form and each Service Provider Invoice Form that is submitted by this service provider during the present funding year.</p>		
14. Signature (original ink signature required)	15. Date (required)	
<i>Michael S. York</i>	2/12/03	
16. Printed name of authorized person (required)		
Michael S. York		
17. Title or position of authorized person (required)		
GENERAL MANAGER		
18. Telephone number of authorized person (required)		
540-434-5361		
19. Address of authorized person (required)		
HARRISONBURG ELECTRIC COMMISSION, 89 WEST BANCHE ST. HARRISONBURG, VIRGINIA 22801		

A paper copy of this form, with an original ink signature in Block 2, Item 16 should be mailed to:

Schools and Libraries Corporation  
P. O. Box 7026  
Lawrence, Kansas 66044-7026

If sent by express delivery services or U.S. Postal Service, Return Receipt Requested, the form should be mailed to:

Schools and Libraries Corporation  
c/o Ms. Smith  
3833 Greenway Drive  
Lawrence, Kansas 66046



Donald J. Ford, Ed.D.  
Division Superintendent

317 South Main Street  
Harrisonburg, Virginia 22801-3606  
540-434-9916 • Fax 540-434-5196

May 5, 2004

Letter of Appeal  
Schools and Libraries Division  
Box 125 – Correspondence Unit  
80 South Jefferson Road  
Whippany, NJ 07981

13 total pages in appeal  
packet.

**FAX NUMBER: 973-599-6542**

Subject: Letter of Appeal for Funding Commitment Decision Letter 938983  
Funding Year: July 1, 2003 – June 30, 2004  
Billed Entity: Harrisonburg City School District  
Billed Entity No.: 126469  
Form 471 No: 348924

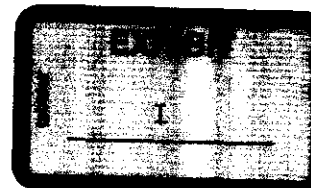
This letter of appeal is for the above referenced Funding Commitment Decision Letter 938983 dated April 13, 2004. The funding decision commitment explanation reads as follows:

**“Associated Form 470 contains service provide (SP) information. Competitive bidding violation occurs when SP associated with form 470 participates in competitive bidding process as a bidder.”**

Basis of Appeal

It was never the intention of Harrisonburg City Public Schools to prevent any potential vendor from providing a bid for services. In fact, several potential vendors did submit queries and quotations for consideration based on the posting of Form 470 134820000423873 dated 10/31/2002.

Form 470 (134820000423873) which was posted on 10/31/2002 lists D.D. Dawson as the contact person in Block 6a and Rob Lineweaver in Block 11. Neither individual is employed by, associated with, or compensated by Harrisonburg Electric Commission. Application form 470 is the public document posted to alert potential vendors of possible service opportunities. This form 470 in no way provided information that would indicate a conflict of interest between the



billed entity (Harrisonburg City School District) and the selected vendor (Harrisonburg Electric Commission).

While the name, D.D. Dawson, was listed as the contact person for Harrisonburg Electric Commission on Form 498 at the time of filing form 470, there is no possible way for a potential vendor to be aware of this because the Form 498 is not a public document. As such, absolutely no one outside of the Schools and Libraries Division could possibly link D.D. Dawson with the Harrisonburg Electric Commission. Thus, it would be impossible for any potential bidder to be negatively influenced by the contact listing under Block 11 of Form 470.

D.D. Dawson is not employed by nor represents the Harrisonburg Electric Commission in any way. She does not have authority to act on behalf of the Commission in any capacity at all. D.D. Dawson was listed on Form 498 only to help the Harrisonburg Electric Commission with paperwork requirements of this complex program. She never signed any invoices to SLD, submitted or worked on any bids, nor submitted any paperwork on behalf of Harrisonburg Electric Commission.

Furthermore, once the Harrisonburg Electric Commission was able to find a person to assume the responsibility for completing SLD paperwork, repeated attempts were made to remove D.D. Dawson as the contact person on Harrisonburg Electric Commission's Form 498. This first attempt was made on November 5, 2002 (copy of letter enclosed). This date is significant because it was long before the allowable contract award date for the Form 470 in question. Program rules forbid applicants from evaluating any bids prior to expiration of the 28 day posting window.

On November 8, 2002, SLD returned a fax to Craig Cook of Harrisonburg Electric Commission, indicating that his form 498 was missing the Federal Employer Identification Number and a certification letter (copy enclosed).

On November 13, 2002, Craig Cook sent yet another letter and revised Form 498 with the information requested in the November 8 SLD fax (copy enclosed).

On November 19, 2002, SLD sent another fax to Craig Cook indicating they needed another signed letter listing the contacts and under "other" on the received fax, it was marked that current contact listed is Brian O'Dell (not D.D. Dawson). SLD wrote that, not Harrisonburg Electric Commission (copy enclosed).

On December 4, 2002, Craig Cook sent a third signed Form 498 and letter requesting the contact name be changed again (copy enclosed).

SLD rules state that a vendor could not be listed as contact on the Form 470. In this case, the applicant has assisted the vendor.

**SLD Form 473, Service Provide Annual Certification Form**, submitted for funding year 2003 by Harrisonburg Electric Commission indicates Craig Cook as the contact name and is signed by the Harrisonburg Electric Commission general manager, Michael York (copy enclosed).

Harrisonburg City Schools was never contacted by a PIA representative to discuss any forms submitted for the 2003 funding year. Since there was no communication between SLD and Harrisonburg City School District, there was no way for us to confront, debate, or rebut the alleged competitive bidding violation.

**From the SLD website, appeals guidelines section, "There are four circumstances when appeals can be granted by USAC, assuming there are no other issues identified during review ... (3) When the appeal provides documentation to correct an incorrect SLD assumption made because there was insufficient information in the application file about an issue. In general, PIA will contact the applicant and ask for all information necessary to make decisions about an application. If that contact does not occur, however, and funding is denied based on an incorrect assumption, the SLD will grant an appeal when the appellant points out the incorrect assumption and provides documentation about the issue that is consistent with information originally provided but also successfully resolves the ambiguity in the original file." [source: <http://www.sl.universalservice.org/reference/AppealsSLDGuidelines.asp>].**

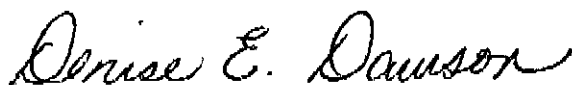
Your consideration of this appeal would be appreciated, especially in light of the fact that Harrisonburg City School District filed a Form 471 for funding year 2004 on 1/16/2004 which is partially based on the 470 referenced in this appeal. Since no discrepancy nor violation was identified to Harrisonburg City School District on its year 2003 form 470 in time to meet the filing deadline for year 2004 funding, there was no way to know not to reference that 470 when filing form 471.

I may be contacted to discuss this appeal via the following methods:

Fax: (540) 434-5730

Phone: (540) 434-5730

Email: [ddawson@harrisonburg.k12.va.us](mailto:ddawson@harrisonburg.k12.va.us)

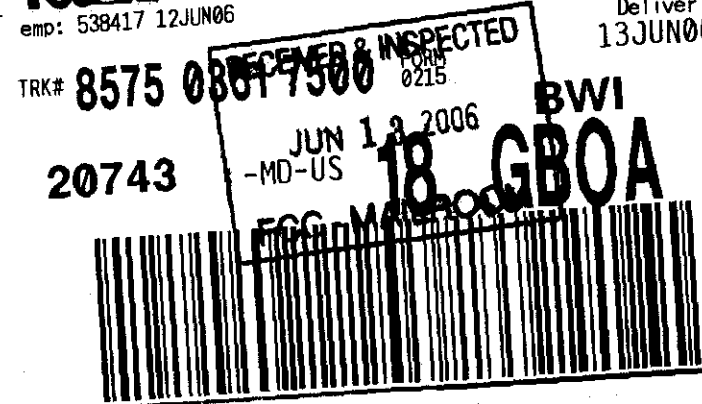


Denise E. Dawson, Director of Business and Technology

Enclosures:

- Letter from Harrisonburg Electric Commission dated 11/05/2002
- Completed form 498 from Harrisonburg Electric Commission faxed to SLD
- Fax from SLD dated 11/08/2002 regarding 498 form errors
- Letter from Harrisonburg Electric Commission dated 11/13/2002
- Fax from SLD dated 11/19/02 regarding 498 form errors (note contact listed as Brian O'Dell and not D.D. Dawson)
- Letter from Harrisonburg Electric Commission dated 12/04/2002
- Form 473, Service Provider Annual Certification Form from Harrisonburg Electric Commission (note contact name and authorized signature)

**FedEx** STANDARD OVERNIGHT TUE  
emp: 538417 12JUN06  
Deliver By: 13JUN06 A2



**FedEx** US Airbill  
Express

FedEx Tracking Number 8575 0361 7500

1 From This portion can be removed for Recipient's records.

Date 6/12/06 FedEx Tracking Number 857503617500  
Sender's Name G. Rodney Young, II Phone 540 885-1517  
Company TIMBERLAKE SMITH THOMAS ET AL  
Address 25 N CENTRAL AVE FL 2  
City STAUNTON State VA ZIP 24401-4272

2 Your Internal Billing Reference 22036.0001

3 To Recipient's Office of the Secretary  
Name Federal Communications Commission  
Company  
Address 9300 East Hampton Drive  
We cannot deliver to P.O. boxes or P.O. ZIP codes.

Recipient's Address 9300 East Hampton Drive  
City Capitol Heights State MD ZIP 20743  
0333083055



8575 0361 7500

4a Express Package Service

☐ FedEx Priority  
Next business day  
shipments with  
unless SATURD.  
☐ FedEx 2Day  
Second business  
shipments with  
unless SATURD.  
FedEx Error

Route Tina  
Delivery Point TW-B204

Packages up to 150 lbs.

FedEx First Overnight  
Next business morning  
select locations.  
Delivery NOT available.

4b Express

☐ FedEx 1Day  
Next business  
shipments with  
unless SATURD.

OND 06/13/06  
POH 10:15:04  
Sdr TIMBERLAKE SMITH THO

\* To meet location  
ages over 150 lbs.  
3Day Freight  
unless day  
Delivery NOT available.

5 Package

☒ FedEx  
Envelope\*

857503617500



\*\* To meet location

x ☐ Other

Declared value limit \$500.

6 Special

☐ SATURDAY  
Not available in  
FedEx Standard Overnight  
FedEx First Overnight, FedEx Express  
Service, or FedEx 2Day Freight.

W1020040UV

FedEx First Overnight.

Saturday  
J&K Location  
J&K ONLY for FedEx Priority  
Overnight and FedEx 2Day  
to select locations.

Does this shipment contain dangerous goods?

One box must be checked.

☒ No ☐ Yes As per attached Shipper's Declaration. ☐ Yes Shipper's Declaration not required.

☐ Dry Ice Dry Ice, 2 UN 1845 x kg

☐ Cargo Aircraft Only

Dangerous goods (including dry ice) cannot be shipped in FedEx packaging.

7 Payment

☒ Sender  
Acct. No. in Section  
I will be billed.

Enter FedEx Acct. No. or Credit Card No. below.

☐ Recipient ☐ Third Party ☐ Credit Card

Obtain Recip. Acct. No.

☐ Cash/Check



Total Packages

Total Weight

Total Charges

Your liability is limited to \$100 unless you declare a higher value. See the current FedEx Service Guide for details.

8 NEW Residential Delivery Signature Options

If you require a signature, check Direct or Indirect.

☐ No Signature  
Required  
Packages may be left  
without obtaining a  
signature for delivery.

☐ Direct Signature  
Anyone at recipient's  
address may sign for  
delivery. Fee applies.

☐ Indirect Signature  
If no one is available at  
recipient's address, anyone  
at a neighboring address may

5191

fedex.com 1800.GoFedEx 1800.463.3339

RECIPIENT: PEEL HERE

Insert  
airbill  
here